

M e m o r a n d u m

To: John L. Geesman, Commissioner , Presiding Member
William J. Keese, Chairman, Associate Member

Date : March 7, 2003

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From : **California Energy Commission** - Bob Eller, Project Manager
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Subject: **PALOMAR ENERGY PROJECT (01-AFC-24) – ADDENDUM TO STAFF ASSESSMENT**

On February 13, 2003, the applicant proposed various modifications to the Conditions of Certification recommended by staff in the Final Staff Assessment. Additionally, Items 8.d and 9 of the Committee's February 5, 2003, Notice of Site Visit and Prehearing Conference requested that staff make specific changes to the Conditions of Certification for Soil and Water Resources (8.d) and that all parties review the Conditions and submit any proposed modifications (9).

Pursuant to the requests, attached are revisions to the Conditions of Certification for **Air Quality, Biological Resources, Cultural Resources, Soil and Water Resources, Traffic and Transportation, and Visual Resources**. The attached Conditions replace those contained in staff's January 25, 2003, Final Staff Assessment.

Staff has coordinated these revisions with the applicant who has agreed to the proposed modifications.

PALOMAR ENERGY PROJECT

(01-AFC-24)

REVISIONS TO CONDITIONS OF CERTIFICATION

AIR QUALITY

AQ-SC3 The on-site AQCM shall submit to the CPM, in the Monthly Compliance Report (MCR), a construction mitigation report that demonstrates compliance with the following mitigation measures:

- a) All unpaved roads and disturbed areas in the project and linear construction sites shall be watered until sufficiently wet for every four hours of construction activities. The frequency of watering can be reduced or eliminated during periods of precipitation.
- b) No vehicle shall exceed 15 miles per hour within the construction site.
- c) The construction site entrances shall be posted with visible speed limit signs.
- d) All construction equipment vehicle tires shall be washed or cleaned free of dirt prior to entering paved roadways.
- e) Gravel ramps of at least 20 feet in length must be provided at the tire washing/cleaning station.
- f) All entrances to the construction site shall be treated with dust soil stabilization compounds.
- g) Construction vehicles must enter the construction site through the treated entrance roadways.
- h) Construction areas adjacent to any paved roadway shall be provided with sandbags to prevent run-off to the roadway.
- i) All paved roads within the construction site shall be swept twice daily when construction activity occurs.
- j) At least the first 500 feet of any public roadway exiting from the construction site shall be swept twice daily when construction activity occurs.
- k) All soil storage piles and disturbed areas that remain inactive for longer than 10 days shall be covered, or be treated with appropriate dust suppressant compounds.
- l) All vehicles that are used to transport solid bulk material on public roadways and that have potential to cause visible emissions shall be provided with a cover, or the materials shall be sufficiently wetted and loaded onto the trucks in a manner to provide at least one foot of freeboard.
- m) Where appropriate, construction areas that may be disturbed shall be equipped with windbreaks at the windward sides prior to any ground

disturbance. The windbreaks shall remain in place until the soil is stabilized or permanently covered with vegetation.

- n) Any construction activities that can cause fugitive dust shall cease when the wind exceeds 25 miles per hour.
- o) All diesel-fueled engines used in the construction of the facility shall be fueled only with ultra-low sulfur diesel, which contains no more than 15 ppm sulfur.
- p) All large construction diesel engines that have a rating of 100 hp or more, shall meet, at a minimum, the 1996 CARB or U.S. EPA certified standards for off-road equipment.
- q) All large construction diesel engines, which have a rating of 100 hp or more, shall be equipped with catalyzed diesel particulate filters (soot filters), unless certified by engine manufacturers or the on-site AQCM that the use of such devices is not practical for specific engine types.

All diesel-fueled engines used in the construction of the facility shall have clearly visible tags issued by the on-site AQCM that shows the engine meets the conditions **AQ-SC3(p)** and **AQ-SC3(q)** above.

Verification: In the MCR, the project owner shall provide the CPM a copy of the construction mitigation report and any diesel fuel purchase records, which clearly demonstrate compliance with condition **AQ-SC3**.

AQ-SC5 The project owner shall surrender the emission offset credits listed in the table below or a modified list, as allowed by this condition, at the time that surrender is required by Air Quality Condition **AQ-49**. If additional ERCs are submitted consistent with Air Quality Conditions **AQ-17** and **AQ-49**, the project owner shall submit an updated table including the additional ERCs to the CPM. The project owner shall request CPM approval for any substitutions, modifications, or additions of credits listed.

The CPM, in consultation with the District, may approve any such change to the ERC list provided that the project remains in compliance with all applicable laws, ordinances, regulations, and standards, the requested change(s) clearly will not cause the project to result in a significant environmental impact, and each requested change is consistent with applicable federal and state laws and regulations. If provided to increase maximum allowable emissions from 105 tons per year of NO_x emissions to 124.4 tons per year pursuant to Condition AQ-49, Class A ERCs issued by the District and meeting the standards of District Rule 26.1 are presumed to satisfy these criteria. If other than Class A ERCs are proposed, then the U.S. EPA shall also be consulted.

District ERC Number	NOx-Equivalent (tpy)
ERC 000111-01	17.5
ERC 000111-02	0.15 (from 0.3 tpy VOC)
ERC 010228-01	7.6 (from 15.2 tpy VOC)
ERC 921291-01	20.8
ERC 921291-02	0.5 (from 1.0 tpy of VOC)
ERC 976993-01	10.5 (from 21.0 tpy of VOC)
ERC 020130-02	3.6
No ERC number, diesel engine replacement	26.8
No ERC number, boiler replacement	38.0

Verification: The project owner shall submit to the CPM a list of ERCs to be surrendered to the District at least 60 days prior to initial startup. When additional ERCs are submitted pursuant to Air Quality Condition **AQ-49**, the project owner shall submit the list of additional ERCs at least 60 days prior to the use of these additional ERCs. If the CPM, in consultation with the District and, in the event other than a Class A ERC is proposed, with the U.S.EPA, approves a substitution or modification, the CPM shall file a statement of the approval with the commission docket and mail a copy of the statement to every person on the post-certification mailing list. The CPM shall maintain an updated list of approved ERCs for the project.

AQ-SC10 The project owner shall provide \$1.86 million, for programs of the San Diego County Air Pollution Control District to mitigate potential PM10 and PM10 precursor impacts in the region around the Palomar Energy Project. The payment shall be provided to the District, which will allocate the funds to programs expected to provide reductions in the specified area. The \$1.86 million payment includes an administration fee to the District for costs to advertise, evaluate, contract and administer diesel source emission reduction projects.

The project owner shall provide the \$1.86 million in two installments . The first installment will be in the amount of \$1.57 million for projects and District costs, and will be submitted to the District no later than the date of delivery of the first combustion turbine to the project site. The project owner shall provide the remaining \$290,000 to the District no later than the date of surrendering the additional Emission Reduction Credits described in **AQ-49**.

The project owner shall demonstrate that a good faith effort has been made to develop an agreement with the District to include the following:

- 1) for up to two years from the date of a payment by the project owner, the District will give first right of refusal to diesel source mitigation projects in the Escondido area;
- 2) the District shall actively pursue mitigation projects by advertising through its Carl Moyer Program, Lower Emission School Bus Program, and Vehicle Registration Fund Program, as well as working directly with projects that may

be developed by the project owner or in the course of normal district business;

- 3) if, after two years from the date of payment, the District has been unable to identify sufficient projects to expend all fees paid, the project owner shall assist in identifying additional diesel source mitigation projects throughout the North San Diego County area; and
- 4) the District shall restrict use of fees paid to diesel source reduction projects in the North San Diego County area, only.

Verification: Copies of each payment transmitted and a record of the agreement with the District shall be provided to the CPM within 20 days after delivery of the each payment to the District.

AQ-SC11 The emissions of ammonia (ammonia slip) from each gas turbine exhaust stack following the SCR controls shall not exceed 5.0 parts per million by volume on a dry basis (ppmvd) corrected to 15 percent oxygen. This emission limitation shall apply during “on-going” operations, except during transient hours. During transient hours, a limitation of 10.0 ppmvd corrected to 15 percent oxygen shall apply on a three-hour average calculated as the average of the transient hour, the clock hour immediately prior to and the clock hour immediately following the transient hour.

Verification: The project owner shall submit to the District and the CPM turbine initial source test data and annual source test data demonstrating compliance with this condition as part of the Quarterly Operational Report (**AQ-SC7**). “On-going” operations are defined in **AQ-30**, and a “transient hour” is defined in **AQ-31**.

AQ-49 Prior to the initial startup of this equipment, the project owner shall surrender to the District Class A Emission Reduction Credits (ERCs) in an amount equivalent to 126.0 tons per year of NO_x to offset the maximum allowable of 105.0 tons per year of NO_x emissions for this facility. When additional offsets are available up to 149.3 tons per year, maximum allowable emissions will increase to the maximum potential of 124.4 tons per year of NO_x emissions.

The CPM may approve any such change to the ERC list contained in Air Quality Condition **AQ-SC5** based on the criteria provided in **AQ-SC5**.

Verification: The project owner shall surrender the required ERCs to the District and provide copies of all related correspondence within 15 days of submittal to the CPM for review and approval.

BIOLOGICAL RESOURCES

CONDITION OF CERTIFICATION BIO-1 – HABITAT COMPENSATION

BIO-1 The project owner will demonstrate that funding for, and implementation of a habitat compensation strategy has been provided for permanent and

temporary biological resource impacts of the Escondido Research and Technology Center (ERTC) business park (including ERTC Planning Area 1, which is the site of the Palomar Energy Project). The habitat compensation strategy will be consistent with requirements of the:

1. Streambed Alteration Agreement (R5-2002-0363, dated January 31, 2003) between the California Department of Fish and Game (CDFG) and JRMC Real Estate Corp. (the ERTC developer); and
2. U.S. Fish and Wildlife Service (USFWS) Biological Opinion on the ERTC, transmitted to the U. S. Army Corps of Engineers, on February 3, 2003.

Verification: No less than 60 days prior to site mobilization of the Palomar Energy Project, the project owner shall provide written verification to the CPM that habitat compensation and other appropriate mitigation has been implemented in accordance with the CDFG Streambed Alteration Agreement and the USFWS Biological Opinion. This verification shall encompass mitigation for impacts to California gnatcatcher-occupied coastal sage scrub habitat, California gnatcatchers, non-native grasslands, coast live oak woodland, jurisdictional wetlands, and Western spadefoot toad-occupied seasonal basin areas.

Condition of Certification BIO-7 - Closure Plan Measures

BIO-7 The project owner will incorporate into the permanent or unexpected permanent closure plan, measures that address the local biological resources in a manner consistent with the land use regulations and policies of the City of Escondido that apply to the ERTC Specific Plan Area (SPA) at the time of closure. The planned permanent or unexpected permanent closure plan will address the following biological resources related mitigation measures;

1. Removal of transmission conductors that are under the control of the project owner when they are no longer used and useful;
2. Removal of all power plant site facilities and related facilities that are under the control of the project owner when they are no longer used or useful;
3. To the extent required to ensure consistency with the applicable land use regulations and policies of the City of Escondido for the ERTC SPA, ensure restoration of wildlife habitat and revegetation of the plant site and other disturbed areas, as appropriate.
4. Revegetation of the plant site and other disturbed areas that may be undertaken will utilize appropriate seed mixtures and plantings.

Verification: At least 12 months prior to commencement of closure activities, the project owner shall address all biological resources related issues associated with facility closure in a Biological Resources Element. The Biological Resources Element will be incorporated into the Facility Closure Plan and include a complete discussion of the local biological resources and proposed facility closure mitigation measures.

Condition of Certification BIO-8 - Construction Mitigation Management to Avoid Harassment or Harm

BIO-8 The project owner shall manage their construction site, and related facilities, in a manner to avoid or minimizes impacts to the local biological resources. At a minimum, measures include the following:

1. Prior to the beginning of power plant construction activities, a qualified biologist will conduct a survey of the project site and vicinity to establish whether there is suitable habitat for California gnatcatchers in sufficient proximity to the power plant construction activity site(s) such that project construction activities potentially could adversely impact gnatcatchers that may be present.
2. If a survey has identified California gnatcatcher habitat within an area that potentially could be affected by project construction, initiate construction activities during the non-breeding season for California gnatcatchers (September 1 through February 14). Work completed during this period includes site boundary demarcation with construction fencing along the edge of retained coastal sage scrub, and all clearing and grubbing.
3. If a survey has identified California gnatcatcher habitat within an area that potentially could be affected by project construction, and in the event that any nighttime construction is allowed, initiate night construction activities during the non-breeding season for California gnatcatchers (September 1 through February 14). Alternatively, prior to conducting any night construction activities, a qualified biologist will determine that no California gnatcatcher breeding is occurring within 300 feet of areas that would be lighted. In the event that California gnatcatchers are found in proximity to areas to be lighted, a verification of adequate light shielding will be made by a qualified biologist prior to commencement of night work.

Shield all facility lighting such that no direct lighting falls within the adjacent natural habitat. Install adequate directional lighting or shielding to control nighttime illumination at the industrial park in a manner that does not enhance light levels within adjacent native habitat areas.

4. Temporarily fence and provide wildlife escape ramps for construction areas that contain steep walled holes or trenches if outside of an approved, permanent exclusionary fence. The temporary fence will be hardware cloth or similar materials that are approved by USFWS and CDFG;
5. Make certain all food-related trash is disposed of in closed containers and removed at least once a week. Feeding of wildlife shall be prohibited;
6. Prohibit non-security related firearms or weapons from being brought to the site;
7. Prohibit pets from being brought to the site; and

8. Report all inadvertent deaths of sensitive species to the Designated Biologist. Injured animals will be reported to CDFG and the project owner will follow instructions that are provided by CDFG.

Verification: All mitigation measures and their implementation methods will be included in the BRMIMP.

CULTURAL RESOURCES

CONDITION OF CERTIFICATION CUL- 6– MONITORING OF GROUND DISTURBANCE;

CUL-6 - The project owner shall ensure that:

The CRS, alternate CRS, or monitors shall monitor ground disturbance full time in the vicinity of the Palomar project site, linears and ground disturbance at laydown areas or other ancillary areas to ensure there are no impacts to undiscovered resources and to ensure that known resources are not impacted in an unanticipated manner. In the event that the CRS determines that full-time monitoring is not necessary in certain locations, a letter or email providing a detailed justification for the decision to reduce the level of monitoring shall be provided to the CPM for review and approval prior to any reduction in monitoring. The CRMs shall keep a daily log of any monitoring or cultural resource activities and the CRS shall prepare a weekly summary report on the progress or status of cultural resources-related activities. The CRS may informally discuss cultural resource monitoring and mitigation activities with Energy Commission technical staff.

The CRS shall notify the project owner and the CPM, by telephone or e-mail, of any incidents of non-compliance with any cultural resources conditions of certification within 24 hours of becoming aware of the situation. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the conditions of certification.

Cultural resources monitoring activities are the responsibility of the CRS. Any interference with monitoring activities, removal of a monitor from duties assigned by the CRS or direction to a monitor to relocate monitoring activities by anyone other than the CRS shall be considered non-compliance with these conditions of certification.

A Native American monitor shall be obtained, to monitor Palomar project ground disturbance in areas where Native American artifacts may be discovered. Informational lists of concerned Native Americans and Guidelines for monitoring shall be obtained from the Native American Heritage Commission. Preference in selecting a monitor shall be given to Native Americans with traditional ties to the area that shall be monitored.

Verification: During the ground disturbance phases of the Palomar project, if the CRS wishes to reduce the level of monitoring occurring at the project, a letter identifying the area(s) where the CRS recommends the reduction and justifying the reductions in monitoring shall be submitted to the CPM for review and approval.

During the ground disturbance phases of the Palomar project, the project owner shall include in the MCR to the CPM copies of the weekly summary reports prepared by the CRS regarding project-related cultural resources monitoring. Copies of daily logs shall be retained and made available for audit by the CPM.

Within 24 hours of recognition of a non-compliance issue, the CRS shall notify the CPM and the project owner by telephone of the problem and of steps being taken to resolve the problem. The telephone call shall be followed by an e-mail or fax detailing the non-compliance issue and the measures necessary to achieve resolution of the issue. Daily logs shall include forms detailing any instances of non-compliance with conditions of certification. In the event of a non-compliance issue, a report written no sooner than two weeks after resolution of the issue that describes the issue, resolution of the issue and the effectiveness or the resolution measures, shall be provided in the next MCR. One week prior to Palomar project ground disturbance in areas where there is a potential to discover Native American artifacts, the project owner shall send notification to the CPM identifying the person(s) retained to conduct Native American monitoring. If efforts to obtain the services of a qualified Native American monitor are unsuccessful, the project owner shall immediately inform the CPM who shall initiate a resolution process.

Revision to Cul-7 Halt of Construction

CUL-7 The project owner shall grant authority to the CRS, alternate CRS and the CRMs to halt construction if previously unknown cultural resource sites or materials are encountered, or if known resources may be impacted in a previously unanticipated manner. Redirection of Palomar project ground disturbance shall be accomplished under the direction of the construction supervisor in consultation with the CRS.

In the event resources are found or impacts can be anticipated, the halting or redirection of construction shall remain in effect until all of the following have occurred:

1. the CRS has notified the project owner and the CPM as soon as possible but no later than 24 hours of the find description and the work stoppage.;
2. The CRS, the project owner, and the CPM have conferred and determined what, if any, data recovery or other mitigation is needed; and
3. Any necessary data recovery and mitigation has been completed.

Verification: At least 30 days prior to the start of Palomar project ground disturbance, the project owner shall provide the CPM with a letter confirming that the CRS, alternate CRS and CRMs have the authority to halt construction activities in the vicinity of a cultural resource find, and that the CRS or project owner shall notify the CPM as soon as possible but no later than 24 hours (or Monday morning in the case of a weekend) following any halt of construction activities, including the circumstance and proposed mitigation measures. The project owner shall provide the CRS with a copy of the letter granting the authority to halt construction.

SOIL AND WATER RESOURCES

SOIL&WATER 1: The project owner shall comply with all of the requirements of the General NPDES Permit for Discharges of Storm Water Associated with Construction Activity. The project owner shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP) for the construction of the entire PEP project. Prior to beginning any site mobilization associated with any project element, the project owner shall submit to the CPM a copy of the Notice of Intent for Construction accepted by the San Diego Regional Water Quality Control Board (SDRWQCB) and obtain CPM approval of the construction activity SWPPP for the PEP.

Verification: No later than 60 days prior to the start of site mobilization for any project element, the project owner shall submit a copy of the SWPPP required under the General NPDES Permit for Discharges of Storm Water Associated with Construction Activity to San Diego County for review and comment, and to the CPM for review and approval. The SWPPP will include copies of the Notice of Intent for Construction accepted by the SDRWQCB and any permits for PEP that specify requirements for the protection of stormwater or water quality. Approval of the SWPPP by the CPM must be received prior to site mobilization for any project element.

SOIL&WATER 2: Prior to beginning any site mobilization activities for any project element, the project owner shall obtain CPM approval for a site-specific Erosion and Sedimentation Control Plan that addresses all project elements. The plan shall address revegetation and be consistent with the grading and drainage plan as required by Condition of Certification **CIVIL-1**.

Verification: No later than 60 prior to the start of any site mobilization for any project element, the project owner shall submit the Erosion and Sedimentation Control Plan to the CPM for review and approval. No later than 60 days prior to start of any site mobilization, the project owner shall submit a copy of the plan to San Diego County for review and request comments be provided to the CPM within 30 days. The plan must be approved by the CPM prior to start of any site mobilization activities.

SOIL&WATER 3: The project owner must obtain approval of the General Industrial Activities SWPPP from the CPM prior to commercial operation of the PEP. The project owner shall comply with all of the requirements of the General NPDES Permit for Discharges of Storm Water Associated with Industrial Activity. The project owner, as required, shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP) for the operation of the PEP. The project owner shall submit to the CPM a copy of the Notice of Intent for Operation accepted by the SDRWQCB and obtain approval of the General Industrial Activities SWPPP from the Energy Commission CPM prior to commercial operation of the PEP.

Verification: No later than 60 days prior to the start of commercial operation, the project owner shall submit to the CPM a copy of the SWPPP required under the General NPDES Permit for Discharges of Storm Water Associated with Industrial Activity to San Diego County for review and comment, and to the CPM for review and approval. The operational SWPPP shall include copies of the Notice of Intent for Operation accepted by the SDRWQCB and any permits for the PEP that specify

requirements for the protection of stormwater or water quality. Approval of the operational SWPPP by the CPM must be received prior to start of commercial operation.

SOIL&WATER 4: Prior to beginning any site mobilization activities for any project element, the project owner shall submit a Stormwater Management Plan (SMP) consistent with the City of Escondido's Drainage Design Standards. This plan shall document that the existing and proposed project stormwater facilities have adequate capacity as required by the City of Escondido. The SMP shall be consistent with all other permit and design documents and shall demonstrate compliance with all applicable City of Escondido Standard Urban Stormwater Mitigation Plan requirements. The project owner shall include in this plan the installation of secondary containment for the entire site, excluding off-site and linear facilities. The containment design shall have design documentation and specifications for the berms or other walled structures.

Verification: No later than 60 days prior to site mobilization for any project element, the project owner shall submit the Stormwater Management Plan to the CPM for review and approval and to the City of Escondido's Public Works Department for review and comment. The operational SMP shall be approved by the CPM prior to the start of operation.

SOIL&WATER 5: The PEP shall use reclaimed water for cooling tower makeup, process water, landscape irrigation and all other nonpotable uses. The PEP shall comply with all Title 22, California Code of Regulation requirements.

Verification: At least 60 days prior to the start of construction of the water supply system, the project owner shall submit to the CPM its water supply system design demonstrating compliance with this condition. Those required features shall be included in the final design drawings submitted to the CBO as required in Condition of Certification **CIVIL-1**. Approval of the final design of the water supply and treatment system by the CPM shall be obtained prior to the start of construction of the systems

SOIL&WATER 6: Potable water will not be used for the wet cooling system, landscape irrigation, or for any purpose other than domestic and sanitary use, and shall not exceed two acre-feet in any calendar year. Prior to the use of any water by the PEP, the project owner shall ensure that metering devices are in place to monitor and record in gallons per day (gpd) the total volumes of potable and reclaimed water supplied to the PEP. Those metering devices shall be operational for the life of the project. An annual summary of daily water use by the PEP, differentiating between potable and reclaimed water, shall be submitted to the CPM in the annual compliance report.

Verification: No less than 60 days prior to the start of operation of the PEP, the project owner shall submit to the CPM evidence that metering devices have been installed and are operational on the pipelines serving the project. Those devices shall be capable of recording the quantities in gallons of water delivered to the PEP in order to report daily water demand. The project owner shall provide a report on the servicing, testing and calibration of the metering devices and operation in the annual compliance report.

The project owner shall submit a water use summary report to the CPM in the annual compliance report for the life of the project. The annual summary report shall be based on and shall distinguish recorded daily use of potable and reclaimed water. Included in the annual summary of water use, the project owner shall submit copies of meter records from the Rincon del Diablo Municipal Water District documenting the quantities of tertiary-treated disinfected wastewater in gpd delivered to the PEP and potable water supplied over the previous year. The report shall include calculated monthly range, monthly average, and annual use by the project in both gallons per day and acre-feet per year. After the first year and for subsequent years, this information shall also include the yearly range and yearly average water used by the project.

SOIL&WATER 7: The project owner will comply with the City of Escondido's Ordinance 95-8, which requires that the project owner obtain an Industrial User Discharge Permit, develop a Management Plan for toxic and prohibited organic chemicals, and complete a Baseline Monitoring Report.

Verification: At least 60 days prior to the start of operation, the project owner shall provide to the CPM verification that the PEP complies with the requirements of the Industrial User Discharge Permit, has developed a Management Plan for toxic and prohibited organic chemicals, and has submitted a Baseline Monitoring Report.

TRAFFIC AND TRANSPORTATION

CONDITION OF CERTIFICATION TRANS-6 – IMPROVEMENTS TO THE CITRICADO/VINEYARD INTERSECTION

TRANS-6 The project owner shall provide written verification of a plan approved by the City Engineer of the City of Escondido to implement mitigation measures at the Citracado Parkway/Vineyard Avenue intersection consistent with the requirements of the City of Escondido's Conditions of Approval for the ERTC Specific Plan. With the concurrence of the City Engineer, the project owner shall install a stop sign at Vineyard Avenue for northbound movements on the rough-graded access road provided along the alignment of the future Citracado Parkway extension. This stop sign will be removed when a traffic signal is operational at this intersection.

Verification: Sixty days prior to the start of construction, the project owner shall submit to the CPM a plan approved by the City Engineer of the City of Escondido for the development of improvements at the intersection of Vineyard Avenue and Citracado Parkway, including temporary mitigation for northbound movements on the project's rough-graded access road along the alignment of the future Citracado Parkway extension at Vineyard Avenue. These improvements shall be installed prior to the initiation of on-site construction activities of the Palomar Energy Project.

CONDITION OF CERTIFICATION TRANS-8 – CITRACADO PARKWAY/COUNTRY CLUB DRIVE TRAFFIC SIGNAL

TRANS-8 The project owner shall provide written verification of the timely implementation of the City of Escondido's requirements for contribution to the costs of installation of a traffic signal at the Country Club Drive/Citracado Parkway intersection to provide operating conditions during peak power plant construction periods that are at or below Level of Service (LOS) D.

Verification: At least 90 days prior to site mobilization the project owner shall submit written verification of implementation of the City of Escondido's signal plan to the CPM. Signal construction shall be completed no more than 90 days after the commencement of on-site mobilization for power plant construction activities.

VISUAL RESOURCES

VIS-9 To achieve consistency with the design standards and policies of the Escondido Research and Technology Center Specific Plan, the project owner shall incorporate the following measures into the design of the project:

- The east elevation view of the operations building shall incorporate architectural design measures consistent with the Comprehensive Policies and Design Guidelines contained in Chapter II of the ERTC Specific Plan. Measures shall be included that screen the south end of the operations building from views from the southeast.
- Exposed mechanical equipment on portions of the HRSGs not screened by terrain, landscaping, or site perimeter walls shall be minimized, and integrated with the HRSG structures to the extent feasible. Measures such as placement and design of structural members such as columns, stairwells, beams, and casing stiffeners shall be employed to integrate the overall appearance of the HRSGs in terms of color, texture, and form.
- A minimum 10-foot landscape setback shall be provided along the project site's eastern boundary.

Prior to the start of construction, the project owner shall submit an architectural plan to the CPM for review and approval and to the City of Escondido for review and comment. The plan shall include:

- a) Detailed plans, elevation views, and specifications for the proposed architectural design measures for the operations building and for integration of exposed mechanical equipment on the HRSGs;
- b) 11" x 17" color simulations at life-size scale of the proposed project with the architectural design measures;
- c) A detailed schedule for installation of the architectural design measures; and

- d) A procedure to ensure proper maintenance of the architectural design measures for the life of the project.

Verification: Not less than 120 days prior to start of construction, the project owner shall submit the architectural plan to the CPM for review and approval and to the City of Escondido for review and comment.